

## Message Text

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ACTION EA-09

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-04 H-01

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 SEC-01 EB-08 JUSE-00 /076 W

-----311101Z 121294 /10

P R 310950Z JAN 77

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 5156

INFO AMEMBASSY ROME

AMEMBASSY SEOUL

AMEMBASSY TAIPEI

AMEMBASSY THE HAGUE

AMCONSUL HONG KONG

USLO PEKING

C O N F I D E N T I A L TOKYO 1439

E.O. 11652: GDS

TAGS: PINT, JA, US

SUBJECT: TANAKA TRIAL OPENS

1. SUMMARY. BRIBERY TRIAL OF FORMER PRIMIN TANAKA HAS OPENED WITH MAXIMUM PRESS COVERAGE, WITH PROSECUTION CONTENDING TANAKA WAS ASKED TO FACILITATE LOCKHEED TRISTAR PURCHASE BY NIXON DURING 1972 HAWAII SUMMIT. FORMER AMBASSADOR INGERSOLL IS QUOTED AS DENYING THIS IN YOMIURI INTERVIEW. WITH POLITICAL AMBITIONS STILL INTACT, TANAKA HAS DENIED EVERYTHING IN WHAT PROMISES TO BE A LENGTHY TRIAL. END SUMMARY.

2. AT FIRST SESSION OF LOCKHEED TRIALS JANUARY 27, FORMER PRIMIN TANAKA DENIED COMPLETELY CHARGES OF TAKING A \$1.7 MILLION BRIBE FROM LOCKHEED IN EXCHANGE FOR HELPING TO ARRANGE PURCHASE OF TRISTAR AIRBUSES BY ANA. TOKYO PAPERS GAVE SATURATION COVERAGE TO OPENING OF WHAT HAS BEEN BILLED AS "JAPAN'S TRIAL OF THE CENTURY." CROWD OF MORE THAN A THOUSAND TURNED OUT, AND PRESS STANDS WERE ERECTED  
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AT COURT ENTRY. JAPAN'S FIRST FORMER PRIME MINISTER TO FACE CRIMINAL CHARGES WILL BE TRIED ALONG WITH HIS PRIVATE SECRETARY AND THREE FORMER OFFICIALS OF MARUBENI, LOCKHEED'S JAPANESE AGENT.

3. PROSECUTION'S CASE AGAINST TANAKA AND THE OTHERS OF "MARUBENI ROUTE" WAS SURPRISINGLY LENGTHY AND

DETAILED, RUNNING 110 PAGES. IT SOUGHT TO PROVE FOUR POINTS: 1) TANAKA RECEIVED MONEY; 2) HE KNEW MONEY WAS BRIBE; 3) HE RECEIVED SPECIFIC REQUEST FROM BRIBER, AND 4) BRIBE AFFECTED CONDUCT OF HIS OFFICIAL DUTIES. WITH POINT 4 AS CRUCIAL AND MOST DIFFICULT ELEMENT OF ITS CASE, PROSECUTION'S OPENING STATEMENT CONTENDED THAT PRIME MINISTER COULD IN FACT SHAPE DECISION ON INTRODUCTION OF AIRBUSES. TANAKA DEFENSE MAINTAINS THAT PURCHASE OF PARTICULAR BRAND OF AIRCRAFT WAS DECISION OF PRIVATE BUSINESS AND DEFINITELY NOT MATTER WHICH ANY GOVERNMENT OFFICIAL COULD DETERMINE.

4. IN PROSECUTION'S STATEMENT, TANAKA IS ALSO ALLEGED TO HAVE BEEN APPROACHED WITH REQUEST TO ENCOURAGE JAPANESE PURCHASE OF LOCKHEED TRISTARS BY FORMER PRESIDENT NIXON DURING SUMMIT TALKS IN HAWAII IN AUGUST 1972. FOUR TOKYO PAPERS INCLUDED NIXON ANGLE IN HEADLINES ON TRIAL'S OPENING, WITH YOMIURI SHIMBUN OF JANUARY 28 RUNNING TELEPHONE INTERVIEW WITH FORMER AMBASSADOR TO JAPAN INGERSOLL, WHICH QUOTES HIM AS SAYING : "I WAS PRESENT AT THE HAWAII TALKS, BUT SO FAR AS I KNOW SELLING THE LOCKHEED TRISTAR TO JAPAN WAS NOT CONCRETELY DISCUSSED." ARTICLE ALSO QUOTES INGERSOLL TO EFFECT THAT NIXON MAY SIMPLY HAVE ASKED TANAKA TO ENCOURAGE JAPANESE PURCHASE OF AMERICAN AIRCRAFT.

5. COMMENT: TANAKA-NIXON SUMMIT ANGLE OF LOCKHEED STORY IS NOT NEW, HAVING SURFACED AT BEGINNING OF LOCKHEED REVELATIONS IN FEBRUARY 1976. WHAT IS NEW, CONFIDENTIAL

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HOWEVER, IS INCORPORATION OF HAWAII TALKS AS SPECIFIC ITEM IN PROSECUTORS' CASE AGAINST TANAKA. WHETHER IMPORTANT TO OUTCOME OF TRIAL OR NOT, PROSECUTORS HAVE STRENGTHENED IN PUBLIC'S MIND IDEA THAT USG WAS INVOLVED IN LOCKHEED CORRUPTION.

6. NEXT SESSION OF TANAKA TRIAL IS SCHEDULED FOR FEBRUARY 22. RUMOR HAS IT THAT TANAKA DEFENSE WILL BE THAT LOCKHEED BRIBE WAS SO SMALL RELATIVE TO LARGE AMOUNTS OF POLITICAL FUNDS PRIME MINISTER NORMALLY HANDLED, THAT TANAKA WAS UNAWARE OF IT AND ITS PURPOSE. ANOTHER DEFENSE ARGUMENT IS THAT USE BY PROSECUTORS OF DISPOSITIONS GIVEN UNDER IMMUNITY BY LOCKHEED OFFICIALS IS UNCONSTITUTIONAL. ALTHOUGH TANAKA BACKERS ARE HOPING FOR EARLIER ACQUITTAL AND POLITICAL REHABILITATION, SUPREME COURT CHIEF JUSTICE FUJIBAYASHI TOLD EMBOFF THAT FOUR OR FIVE YEARS LIKELY TO BE REQUIRED BEFORE FINAL COURT DECISION.  
HODGSON

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## Message Attributes

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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009